

## REMARKS

### **1. Introduction**

In the Office Action mailed April 11, 2003, the Examiner rejected claims 1-5, 9-15, 18, 33, 34, 37-43, 46-60, 63-66, 68, 70, 71, and 74-78 under 35 U.S.C. § 102(e) as being anticipated by Criss et al., U.S. Pub. No. 2001/0029178 ("Criss"). The Examiner also rejected claims under 35 U.S.C. § 103(a) as being unpatentable over Criss in view of other prior art. Specifically, the Examiner rejected claims 6, 7, 35, 36, 61, 62, 72, and 73 over Criss in view of Grewe et al., U.S. Patent No. 5,625,673 ("Grewe"), rejected claims 16 and 44 over Criss in view of Gombrich, U.S. Patent No. 4,916,441 ("Gombrich"), rejected claims 17 and 45 over Criss in view of Shimura, U.S. Patent No. 5,754,624 ("Shimura"), rejected claims 19-21, 67, and 69 over Criss in view of Ausems et al., U.S. Patent No. 6,434,403 ("Ausems"), rejected claims 22-25, 29, and 30 over Criss in view of Ogasawara, U.S. Patent No. 6,512,919 ("Ogasawara"), rejected claims 26 and 27 over Criss in view of Ogasawara and in further view of Grewe, rejected claim 31 over Criss in view of Ogasawara and in further view to Shimura, and rejected claim 32 over Criss in view of Ogasawara and in further view of Gombrich.

The Examiner indicated that claims 8, 28, 79, and 80 contained allowable subject matter but objected to these claims as being dependent upon rejected base claims.

Claims 22, 33, 35, 36, 42, 44, 70, 72, 73, 75, and 76 are currently amended. For the reasons set forth below, Applicants respectfully request reconsideration and allowance of the claims, as amended.

## 2. Response to Rejections

### a. **Claims 1-21, 56-69, 77, and 79**

Of these claims, claims 1 and 56 are independent. The Examiner has rejected claims 1 and 56 under § 102(e) as being anticipated by Criss.

In response, Applicants submit that Criss does not disclose each and every element in either claim 1 or 56 and, thus, does not anticipate these claims. In particular, claims 1 and 56 each recite “a first interface for allowing an external display device to access said at least one electronic file.” However, the Examiner has not established that Criss discloses this element. Regarding the “first interface” and “external display device” recited in claims 1 and 56, the Examiner has cited paragraph 0094 of Criss. This paragraph in Criss states that “available software packages are displayed on the display 46.” However, Criss does not describe “display 46” as an “external display device.” To the contrary, Figure 2 and paragraph 0053 of Criss make clear that display 46 is not an external display device but is instead part of mobile terminal 36 (which the Examiner has alleged corresponds to the wireless intelligent portable server recited in claims 1 and 56). Thus, the Examiner has not identified any disclosure in Criss of an *external* display device used with mobile terminal 36, much less an *interface* for such an external display device. Indeed, since display 46 is already a part of mobile terminal 36, Criss teaches away from an interface for an external display device as recited in claims 1 and 56.

Accordingly, Applicants respectfully submit that claims 1 and 56 are allowable over Criss and the other prior art of record. Applicants further submit that claims 2-21, 57-69, 77, and 79 are allowable as being dependent on allowable claims.

**b. Claims 22-32 and 80**

Of these claims, claim 22 is independent. The Examiner has rejected claim 22 under § 103(a) as being unpatentable over Criss in view of Ogasawara. In making this rejection, the Examiner conceded that Criss does not disclose a wireless telephone (in communication with the wireless intelligent personal server) that transmits an acknowledgement signal when the wireless intelligent personal server receives the downstream data. Instead, the Examiner cited Ogasawara (at Fig. 1 and col. 6, lines 12-16) for these elements. In Ogasawara the Examiner identified wireless telephone 18 and alleged that store server 10 and its wired connection 11 correspond to the wireless intelligent personal server of claim 22.

In response, Applicants have amended claim 22 to clarify that the wireless intelligent personal server causes the wireless telephone to transmit an acknowledgement signal when the wireless intelligent personal server receives the downstream data. Support for this amendment may be found, for example, at page 12, lines 7-14 of the present application. In contrast, Ogasawara discloses that the “purchaser merely dials the telephone number of the store server 10 or remote server 26 with the wireless telephone 18” (col. 6, lines 5-7). Thus, Ogasawara teaches away from the wireless data communication system of claim 22, in which the wireless intelligent personal server causes the wireless telephone to transmit an acknowledgement signal.

Accordingly, Applicants respectfully submit that claim 22, as amended, is allowable over Criss, Ogasawara, and the other prior art of record. Applicants further submit that claims 23-32 and 80 are allowable as depending from an allowable claim.

**c. Claims 33-45, 70-76, and 78**

Of these claims, claims 33 and 70 are independent. The Examiner has rejected claims 33 and 70 under § 102(e) as being anticipated by Criss. In making this rejection, the Examiner apparently identified mobile terminal 36 as allegedly corresponding to the “wireless intelligent personal server” recited in claims 33 and 70 and apparently identified display 46 as allegedly corresponding to the “display device” recited in claims 33 and 70.

In response, Applicants have amended claims 33 and 70 to recite a “separate display device.” Figure 1 of the present application shows an example of a separate display device in communication with a wireless intelligent personal server. As described on page 11, lines 1-19 of the present application, a separate display device may be electrically connected to the wireless intelligent personal server, e.g., via electrical contacts or via electrical cables, or it may be in communication with the wireless intelligent personal server in other ways. In contrast, Figure 2 and paragraph 0053 of Criss make clear that display 46 is *part of* mobile terminal 36. Thus, Criss teaches away from the *separate* display device recited in claims 33 and 70, as amended.

Accordingly, Applicants respectfully submit that claims 33 and 70, as amended, are allowable over Criss and the other prior art of record. Applicants further submit that claims 34-45, 71-76, and 78 are allowable as depending from allowable claims.

**d. Claims 46-55**

Of these claims, claims 46 and 51 are independent. The Examiner has rejected claims 46 and 51 under § 102(e) as being anticipated by Criss.

In response, Applicants submit that Criss does not disclose each and every element in either claim 46 or 51 and, thus, does not anticipate these claims. In particular, claims 46

and 51 each recite the step of "bringing an external display device into communication with ~~the~~ said wireless intelligent personal server." However, the Examiner has not established that Criss discloses this step. Regarding the "first interface" and "external display device" recited in claims 46 and 51, the Examiner has cited paragraph 0094 of Criss. This paragraph in Criss states that "available software packages are displayed on the display 46." However, Criss does not describe "display 46" as an "external display device." To the contrary, Figure 2 and paragraph 0053 of Criss make clear that display 46 is not an external display device but is instead part of mobile terminal 36 (which the Examiner has alleged corresponds to the wireless intelligent portable server recited in claims 46 and 51). Thus, the Examiner has not identified any disclosure in Criss of bringing an *external* display device into communication with a wireless intelligent personal server. Indeed, since display 46 is already a part of mobile terminal 36, Criss teaches away from using an external display device as recited in claims 46 and 51.

Accordingly, Applicants respectfully submit that claims 46 and 51 are allowable over Criss and the other prior art of record. Applicants further submit that claims 47-50 and 52-55 are allowable as being dependent on allowable claims.

2. **Conclusion**

Applicants submit that the present application is now in condition for allowance, and notice to that effect is hereby requested. Should the Examiner feel that further dialog would advance the subject application to issuance, he is invited to telephone the undersigned at any time at (312) 913-0001.

Respectfully submitted,

**McDONNELL BOEHNEN  
HULBERT & BERGHOFF**

Dated: July 11, 2003

By: Richard A. Machonkin  
Richard A. Machonkin  
Reg. No. 41,962